

LSK&D #: 104-7703 / 1070528

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
YEVGENIY DIKLER,

Plaintiff,

-against-

THE CITY OF NEW YORK, DETECTIVE
MICHAEL VISCONTI shield #06482,
SECURITY OFFICER WILSON VEGA, HWA
INC.,

Defendant.
-----X

Docket No.: 07 CIV 5984

NOTICE OF MOTION

Hon. Paul A. Crotty

S I R S :

PLEASE TAKE NOTICE, that upon the affirmation of John Tarnowski dated August 27, 2008, the annexed Memorandum of Law with Rule 56 Statement and the exhibits annexed hereto and all prior pleadings and proceedings, the defendants SECURITY OFFICER WILSON VEGA, and HWA INC. named in the above-mentioned action will move this Court before the Honorable Paul A. Crotty at the United States Courthouse at 500 Pearl Street, New York, New York 10007, at a date and time to be scheduled by this Court, for an Order dismissing the Verified Complaint and awarding summary judgment in favor of Defendants pursuant to Fed. R. Civ. P. 56 and seeking sanctions upon plaintiff's counsel pursuant to Rule 11.

Dated: New York, New York
August 27, 2008

Respectfully submitted,

LESTER SCHWAB KATZ & DWYER, LLP

John Tarnowski (JT-1138)
Attorneys for Defendants
WILSON VEGA and HWA INC.
120 Broadway
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TO:

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Assistant Corporation Counsel of
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\Declaration of Service

I served the annexed **NOTICE OF MOTION, AFFIRMATION IN SUPPORT OF MOTION FOR SUMMARY JUDGMENT AND MEMORANDUM OF LAW IN SUPPORT OF DEFENDANTS HWA, INC. AND WILSON VEGA'S MOTION FOR SUMMARY JUDGMENT** by first-class mail on the following persons on August 28, 2008:

DAVID A. ZELMAN, ESQ.
612 Eastern Parkway
Brooklyn, New York 11225
Attorneys for Plaintiff

JOYCE CAMPBELL PRIVETERRE, ESQ.
Assistant Corporation Counsel of
THE CITY OF NEW YORK 100 Church Street
Room 3-148
New York, New York 10007
(212) 788-1277

I declare under penalty of perjury that the foregoing is true and correct.
Executed on August 28, 2008.

MARY E. MAGEE

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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YEVGENIY DIKLER,

Plaintiff,

Docket No.: 07 CIV 5984

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THE CITY OF NEW YORK, DETECTIVE
MICHAEL VISCONTI shield #06482,
SECURITY OFFICER WILSON VEGA, HWA
INC.,

Defendant.
-----X

**NOTICE OF MOTION AND
AFFIRMATION IN SUPPORT OF MOTION FOR SUMMARY JUDGMENT**

LESTER SCHWAB KATZ & DWYER, LLP
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